

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5271

IN THE MATTER OF:

Served February 12, 1998

Application to Transfer)	Case No. AP-98-08
Certificate No. 318 from OLANDERS)	
CLARK, Trading as CLOUD NINE)	
COACHWAYS, to CLOUD NINE COACHWAYS,)	
INC.)	

By application filed February 6, 1998, Olanders Clark, trading as Cloud Nine Coachways, WMATC Carrier No. 318, (Clark), and Cloud Nine Coachways, Inc., a Maryland corporation, (CNC), (collectively applicants), seek Commission approval to transfer Certificate of Authority No. 318 from Clark to CNC. Clark is an officer and sole shareholder of CNC.

CNC proposes commencing operations with eleven coaches. CNC's proposed tariff contains hourly charter rates.

Article XI, Section 11(a), of the Compact governs the transfer of a certificate of authority to a corporation in which the certificate holder has a controlling interest.¹ A transfer of this nature raises fitness issues only.²

This proceeding is hereby initiated to determine whether CNC is fit.

THEREFORE, IT IS ORDERED:

1. That applicants shall publish once in a newspaper of general circulation in the Metropolitan District, no later than February 23, 1998, notice in the form prescribed by the staff of the Commission.

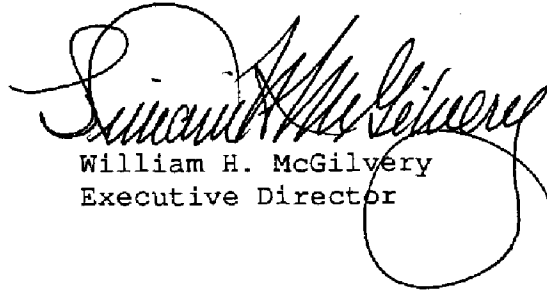
2. That applicants shall file with the Commission, no later than March 16, 1998, an original and four copies of an affidavit that notice has been published as required in the preceding paragraph.

¹ In re Ira A. Austin, Sr., t/a Ira's Transp. Serv., & Ira's Transp. Serv., Inc., No. AP-97-42, Order No. 5193 (September 9, 1997).

² Id.

3. That the deadline for filing protests, comments, applications for intervention, and requests for formal hearing, is March 16, 1998, and that copies must be served on transferee's president, Mr. Olanders Clark, 7604 Flam Court, Ft. Washington, MD 20744.

FOR THE COMMISSION:

A handwritten signature in black ink, appearing to read "William H. McGilvery", is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

William H. McGilvery
Executive Director